

SENATE BILL 574
By Gilbert

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 16, relative to state officials, employees and their associates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 4, is amended by adding the following new section:

Section _____. (a) A person who has been a state public officer or employee, as defined in subsection (d), of the state of Tennessee shall not act as an agent, an attorney or a representative in any capacity for another person, in expectation of compensation in any matter related to duties or responsibilities of the employee while employed, for twelve (12) months after the person's state service terminated.

(b) A person who has been a state public officer or employee, as defined in subsection (d), of the state of Tennessee shall not act as an agent, or attorney, or a representative in any capacity for another person, in expectation of compensation before any agency, department, or related official with which, for at least six (6) months, the employee was associated while employed, for twelve (12) months after the person's state service terminated.

(c) A person who has been a state officer or employee, as defined in subsection (d), of the state of Tennessee shall not act as a agent, an attorney or a representative in any capacity for another person, in expectation of compensation in any judicial or quasi-

600000000

60000000

001914

00191417

judicial proceeding, application, contract, claim or change that might be related to any judicial or quasi-judicial proceeding in which the employee was personally and substantially involved, as a public officer.

(d) The provisions of this section shall apply to the following state public officials and employees:

- (1) Members of the governor's personal staff;
- (2) Members of the governor's cabinet;
- (3) Officers provided for in the constitution of Tennessee;
- (4) State employees of regulatory agencies, including independent regulatory agencies; and
- (5) Members of the general assembly.

(e) The provisions of this section shall not apply to the following state public officials and employees:

- (1) Individuals working for compensation under contract with or for the benefit of the state;
- (2) Individuals with outstanding qualifications in a scientific or technological field needed in any advisory capacity; and
- (3) Individuals required to testify under oath subject to a penalty of perjury.

(f) Except as provided in subsection (g)(2), violation of this section is a Class D felony.

(g)

- (1) A person who is a partner of a state officer or employee shall not act as an agent, or attorney or a representative in any capacity under circumstances in which the employee is forbidden to act for twelve (12) months after the person's service terminated.

(2) Violation of this subsection is a Class E felony.

SECTION 2. This act shall take effect January 1, 1998, the public welfare requiring it.